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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,649	02/03/2004	Hartmut Ahrens	514413-3945	3687

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EXAMINER

BALASUBRAMANIAN, VENKATARAMAN

ART UNIT PAPER NUMBER

1624

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20060413

DATE MAILED:

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on 1/27/2006 is not fully responsive to the prior Office action because claims 8-10 were indicated as previously presented and then currently amended but these claims were not originally presented claims. Originally presented claims 8-10 relate to intermediate compounds which were the subject of restriction requirement. There appears to be no preliminary amendment in the application. Hence, it is not clear whether applicants' traversal relate to original claims or presently presented claims. It is not possible to address applicants' traversal of the restriction requirement without knowing to which set of claims the traversal is pertinent. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Venkataram Balasubramanian
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Primary Examiner 4/14/06
Art Unit: 1624